

CITY OF HORSESHOE BAY

CITY COUNCIL PUBLIC MEETING

November 2, 2006

The Council of the City of Horseshoe Bay held a Public Meeting at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, November 2, 2006, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor
James E. Babcock, Mayor Pro Tem
John Bird, Alderman
Don Wood, Alderman
Karen Wines, Alderwoman
Buddy Schrader, Alderman

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present. Larry Sherwood from the Church at Horseshoe Bay led the invocation. Mayor Lambert then led the pledge of allegiance to the United States Flag and the Texas Flag.
2. Comments from Mayor: Mayor Lambert thanked Mayor Pro Tem Jim Babcock for presiding at the October 17, 2006 Council meeting.
3. Comments from Aldermen: Alderman Schrader stated that the Lifestyle Issues committee had held their first meeting. He also asked General Manager Thuss the status of the parking issues caused by the construction of The Waters. Thuss said the City had met with The Waters and the City Inspector was checking the construction site twice a day. There was a scheduled meeting between The Waters and the residents of The Cape, however it has been postponed.
4. Public Comments: Residents of The Cape stated they are very upset due to the construction crews working on The Waters and the fact they are interfering with the ingress and egress to their homes and the problem needs to be resolved quickly. Mr. Bill Sweet of The Cape stated much of the problem is during the hours of 7:00 a.m. – 8:00 a.m., 11:00 – 1:00 p.m. and 4:00 p.m. – 6:00 p.m. Mayor Lambert said he would drive by during these times; however there is currently no ordinance in place to prevent parking in the street. Alderwoman Wines feels a parking ordinance is very important and needs to be implemented immediately. The Cape residents stated the semi trucks making deliveries to The Waters' construction site cross their bridge and turn around in Mr. Sweet's drive. They are unaware of the load limit of their bridge and concerned about possible damage to the structure. General Manager Thuss said Centex

had an agreement with the Lake LBJ MUD to repair and repave streets from curb to curb where they caused damage.

5. Items to be Removed from Consent Agenda: There were no items removed from the Consent Agenda.
6. Consent Agenda Items: Alderman Wood made the motion to approve the Consent Agenda items.
 - a. Minutes of the October 17, 2006 Public Meeting
 - b. Final Plat Approval:
 - i. Replat of Lot Nos. 13034 and 13035 Horseshoe Bay, Plat No. 13.1, Llano County Texas to be known as Horseshoe Bay Plat No. 13.5
 - ii. Replat of Lot No. W3052-A, Horseshoe Bay West, Plat No. W3.4 and Lot W3054 of Horseshoe Bay West Plat No. W3.1 to be known as Horseshoe Bay West Plat No. W3.5
 - iii. Replat of Lot No. 11-A, Horseshoe Bay Applehead Island Plat No. 7.13, to be known as Horseshoe Bay Applehead Island Plan No. 7.13-A
 - iv. Replat of Lot Nos. 63-A and 66-A, Horseshoe Bay Applehead Island Plat No. 1.63 and a .005 Acre Tract to be known as Horseshoe Bay Applehead Island Plat No. 1.63A
 - v. Replat of Lot No. 90-A Horseshoe Bay Applehead Island Plat No. 3.90-A and Lot No. 94-A, Horseshoe Bay Applehead Island Plat No. 3.94-A to be known as Horseshoe Bay Applehead Island Plat No. 3.94-B
 - vi. Replat of Lot 6, Siena Creek, Phase One to be known as Replat of Lot 6, Siena Creek, Phase One

The motion was seconded by Alderman Schrader. The motion passed by unanimous vote (5-0).

7. General Manager's Abbreviated Report: General Manager Thuss stated the packet contains the City Vehicle Policy. This is a policy he reviews annually which lists the City's vehicles, who is authorized to drive them, and who is responsible for each vehicle. The vehicles are not to be driven for personal use except in an emergency. The Police Chief and the Fire Chief are allowed to drive their vehicles at any time within 40 miles of the City due to being on call for emergencies at all times. Employees are allowed to drive two miles outside the City limits in order to eat lunch. He stated it is time for his annual inspections of all City facilities and invited the Council to accompany him if they wished. He also added Glenn Jones is working with him on the process of reviewing available consultants for the Capital Program and Impact Fees. They will have a recommendation at the November 28, 2006 Council meeting and believe they can get that work done in less time than the allotted six months.
8. Public Hearing Regarding Zoning Variance to HSB Lot Nos. 35006-1B and 35006-2B:
10. Public Hearing Regarding Zoning Amendment and Zoning Variance to HSB West Lot Nos. W8013 and W8014:
13. Public Hearing Regarding Zoning Amendment and Zoning Variance to HSB West Lot Nos. W9024 and W9025:
17. Public Hearing Regarding Zoning Variance to Applehead Island Lot No. 26:

19. Public Hearing Regarding Zoning Variance to Pecan Creek Lot Nos. 316 and 317:
Mayor Lambert stated there are five formal public hearings on the agenda and he would like to call them all to order at the same time. The public would be asked for formal comments and then the hearing would be adjourned and the less formal discussion would be held for each property. At 3:26 he called all of the Public Hearings to order and asked for any comments. Jim Rowe spoke concerning HSB Lot Nos. 35006-1B and 35006-2B and stated when he came to HSB it was principally a place people had second homes. He has developed several properties and stated there are no homes in this area with setbacks of more than 10 feet. The Mayor then stated there would be comments allowed after the Public Hearings were adjourned. He adjourned the Public Hearings at 3:29 p.m.
9. Zoning Variance HSB Lot Nos. 35006-1B and 35006-2B: This item is to request a variance to the side yard setback of 15 feet. After some discussion Alderman Babcock made the motion to approve the variance to reduce the side yard setback from 15' to 5' on each of these lots. Alderman Wood seconded the motion. The motion passed unanimously. (5-0)
11. Zoning Amendment HSB West Lot Nos. W8013 and W8014: This item is a request to amend the zoning classification of these lots from R-4 Multi-Family to R-1 Single-Family. Kay Carter with Carter Bruce Homes stated they are the developer of this property. Alderman Babcock stated this request is in accordance with Zoning Ordinance procedures to request a variance. After some discussion Alderman Wood made the motion to approve amending the zoning classification of these lots from R-4 to R-1. Alderwoman Wines seconded the motion. The motion passed unanimously. (5-0)
12. Zoning Variance HSB West Lot Nos. W8013 and W8014: This item is to request a variance from the required 2400 square foot home size to be reduced to 2000 square feet for each lot. Alderman Wood made the motion to approve the variance from the 2400 square foot requirement to 2000 square feet for each of these lots. Alderman Babcock seconded the motion. The motion passed unanimously. (5-0)
14. Zoning Amendment HSB West Lot Nos. W9024 and W9025: This item is a request to amend the zoning classification of these lots from R-4 Multi-Family to R-1 Single-Family. These lots are also being developed by Carter Bruce Homes. Alderman Wood made the motion to approve the zoning classification of these lots from R-4 to R-1. Alderman Babcock seconded the motion. The motion passed unanimously. (5-0)
15. Zoning Variance HSB West Lot Nos. W9024 and W9025: Mayor Lambert stated this is the same request as the previous variance and amendment for HSB West Lot Nos. W8013 and W8014. Alderman Babcock stated this request also is in accordance with Zoning Ordinance procedures to request a variance. Alderman Babcock made the motion to approve the variance from the 2400 square foot requirement to 2000 square feet for each of these lots. Alderman Wood seconded the motion. The motion passed unanimously. (5-0)
16. Resolution to Amend 911 Addressing Assignments for HSB Lot Nos. W8013, W8014, W9024 and W9025: With the proposed development of Horseshoe Bay West Lots W8013, W8014, W9024, and W9025, the number of proposed lots on each street will require the addressing to drop below a three-digit number. Under the current 911 Address Assignment Policy of Llano

County, a three-digit number is required for all addresses. This Resolution is to adopt an exception to the addressing policy and utilize the following addressing structure:

107 Sunshine for W9024-A	103 Lachite for W8013-A
105 Sunshine for W9024-B	101 Lachite for W8013-B
103 Sunshine for W9025-A	99 Lachite for W8013-C
101 Sunshine for W9025-B	97 Lachite for W8014-A
99 and 97 Sunshine for W9026	95 Lachite for W8014-B
95 and 93 Sunshine for W9027	93 Lachite for W8014-C

Alderman Schrader made the motion to adopt a Resolution to amend 911 addressing assignments for these lots. Alderwoman Wines seconded the motion. The motion passed unanimously. (5-0)

18. Zoning Variance Applehead Island Lot No. 26: This item is to request a variance to the front yard setback. The front yard set back requirement in this Zone is 25-feet and with the shape of the lot, the buildable area of the lot does not allow for the proposed single family structure. Alderman Wood made the motion to approve the variance to reduce the front building setback from 25' to 20' due to the irregular shape of the lot. Alderman Schrader seconded the motion. The motion passed unanimously. (5-0)
20. Zoning Variance Pecan Creek Lot Nos. 316 and 317: This item is requesting a variance to the front and rear setbacks. The required front yard set back is 20-feet and the rear yard set back is 15-feet. With this requirement the total buildable area of each lot does not allow for the proposed single-family structures of approximately 2400 square feet. Mayor Lambert asked if there were any members of the public that wished to speak on this variance. Wayne Harkins stated he owns these two lots and is planning on using existing floor plans that have already been built in Pecan Creek with different front elevations. There was some concern from Mr. Fred Duecker, the owner of an adjacent lot; however his concerns have been addressed and he is satisfied with the outcome. Alderman Wood made the motion to approve the variance to reduce the front yard setback from 20' to 15' on lots 316 and 317 and the rear setback from 15' on lot 317. Alderman Schrader seconded the motion. The motion passed unanimously. (5-0)

Alderman Babcock gave a brief description of the process the City staff and Council goes through prior to granting a variance. He pointed out that under the Zoning Ordinance; Section 2.20.1 provides that "There shall be a presumption against variances." The variances approved today were each an unusual circumstance that were (i) awarded to prevent hardship according to the facts relevant to a particular instance or (ii) was in the public interest – converting multi to single-family, and not to be construed as a signal that the Council will view future variance requests favorably.

21. Preliminary Plats: Alderman Babcock made the motion to approve the preliminary plats. Alderman Bird seconded the motion. The motion passed unanimously (5-0).
22. Resolution to Pursue Legislation Concerning Escondido Defined Area Bonds: Mayor Lambert stated that at the last Council meeting it was decided that the Council would begin the process of seeking legislation concerning Escondido Defined Area Bonds. City Attorney Akers is

drafting the document to be presented to the State Legislature. Alderman Bird made the motion to adopt the Resolution to Pursue Legislation Concerning Escondido Defined Area Bonds. Alderman Wood seconded the motion. The motion passed unanimously. (5-0)

23. Selection of Accounting Firm to Conduct FY 2006 Audit: Mayor Lambert stated there were twelve Requests for Proposals sent out by the City and four submitted proposals. He reviewed and discussed these with Toni Vanderburg and they both recommend Neffendorf, Knopp, Horry and Doss, P.C. as the most qualified. After contacting area cities for references all were very favorable and many had used them for 15-20 years. The Mayor recommended engaging the Neffendorf firm for a fee of \$11,000. Alderman Babcock made the motion to approve the selection of Neffendorf, Knopp, Horry and Doss, P.C. to conduct the FY2006 audit. Alderman Wood seconded the motion. The motion passed unanimously. (5-0)
24. Recognition of Aldermen Don Wood and Buddy Schrader: Mayor Lambert announced this would likely be the final Council meeting attended by Don Wood and Buddy Schrader. He stated the City of Horseshoe Bay needed very capable people in order to get the City started and he felt these two did a great job. Both Aldermen stated it was a pleasure and an honor to serve on the Council. The Mayor then presented plaques to each Alderman in appreciation for their service to the City. General Manager Thuss also presented certificates of appreciation from the employees of the City of Horseshoe Bay and thanked them for their support.
25. Adjournment: Alderman Babcock made the motion to adjourn the meeting at 4:10 p.m. Alderman Wood seconded the motion. The motion passed unanimously (5-0).

APPROVED this 28th day of November, 2006.

/S/
Robert W. Lambert

ATTEST:

/S/
Toni Vanderburg, City Secretary